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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/780,405	02/17/2004	Lee Weng	THRSP-0005-0002

36308
 ACCOUSTX CORPORATION
 ATTENTION: LEGAL
 2401 FOURTH AVE
 SUITE 200
 SEATTLE, WA 98121



CONFIRMATION NO. 1305

FORMALITIES LETTER



OC000000012810570

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

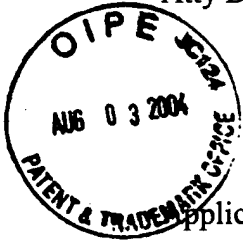
A copy of this notice MUST be returned with the reply.

Freerivot

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lee Weng, et al.)	
)	
Serial No.:	10/780,405)	Art Unit: 3737
)	
Filing Date:	February 17, 2004)	
)	Examiner: Not Yet Assigned
Title:	ULTRASOUND TRANSDUCERS FOR)	
	IMAGING AND THERAPY)	
)	

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION**

Dear Sir:

In response to a Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004, received by the Applicants in connection with the above-identified patent application, enclosed please find the following documents:

- 1) Copy of this response;
- 2) Copy of Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 for US Patent Application Serial No. 10/780,405;
- 3) Copy of Utility Patent Application Transmittal, signed and dated February 17, 2004;
- 4) Copy of prior reponse to Notice to File Missing Parts of Nonprovisional Application dated March 9, 2001 for US Patent Application Serial No. 09/747,310, filing date December 12, 2000;
- 5) Copy of Combined Declaration and Power of Attorney for US Patent Application Serial No. 09/747,310, filing date December 12, 2000; and
- 6) Return Receipt Postcard

Applicants believe that the Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004, issued for the present patent application and copy of which is enclosed with this response, has been issued erroneously by the US Patent and Trademark Office. The present patent application has been filed with the United States Patent and Trademark Office as a Divisional application of a prior US Patent Application Serial No. 09/747,310, filing date December 12, 2000, which has issued as US Patent No. 6,719,694 on April 13, 2004, which claims benefit of US Provisional Patent Application Serial No. 60/171,703, filing date December 23, 1999. A copy of the Utility Patent Application Transmittal, signed and dated on February 17, 2004, and submitted along with the new patent application filing documents to the United States Patent and Trademark Office on February 17, 2004, is enclosed as evidence supporting the above statement.

Applicants further state that a properly executed Combined Declaration and Power of Attorney has been filed with the US Patent and Trademark Office on March 9, 2001 in response to the Notice to File Missing Parts of Nonprovisional Application dated February 12, 2001 and issued for US Patent Application Serial No. 09/747,310, filing date December 12, 2000, of which the present application is a Divisional. A copy of the response and a copy of Combined Declaration and Power of Attorney that were submitted in response to a Notice to File Missing Parts of Nonprovisional Application on March 9, 2001 in the U.S. Application Serial No. 09/747,310, filing date December 12, 2000, are also enclosed.

Applicants believe that because the present application is a Divisional of a prior US Patent Application Serial No. 09/747,310, filing date December 12, 2000, for which a properly executed Combined Declaration and Power of Attorney had been filed on March 9, 2001, a new Declaration is not required in the present patent application. Therefore, applicants respectfully request that the erroneously issued Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 be withdrawn.

Respectfully Submitted,

2401 Fourth Avenue, Suite 210
Seattle, WA 98121
Tel.: (206) 832-4636
Fax.: (206) 832-4660

Therus Corporation



Sheldon K. Lee
Reg. No.: 53,197

SKL/mo

Enclosures:

Copy of this response;

Copy of Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004;
Utility Patent Application Transmittal, signed and dated February 17, 2004;

Copy of prior response to Notice to File Missing Parts of Nonprovisional Application
dated March 9, 2001 for US Patent Application Serial No. 09/747,310, filing date
December 12, 2000;

Copy of Combined Declaration and Power of Attorney for US Patent Application Serial
No. 09/747,310, filing date December 12, 2000; and
Return Receipt Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 30, 2004 *R.N. 03/30/04*

Rimma N. Oks
Typed or printed name

R.N. Oks
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of Lee Weng, et al.

Examiner: Not yet assigned

For: **ULTRASOUND TRANSDUCERS FOR
IMAGING AND THERAPY**

Group Art Unit: Not yet assigned

Application Serial No.: Not Yet Assigned

Filed: February 17, 2004

Attorney Docket No.: THRSP-0005-0002


**UTILITY
PATENT APPLICATION
TRANSMITTAL**
PTO/SB/05 (03-01)

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages: <u>34</u>] Preferred arrangement set forth below <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s). See 35 U.S.C. 113 [Total Sheets: <u>13</u>] 5. <input type="checkbox"/> Oath or Declaration [Total Pages: <u> </u>] <ol style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed) c. <input type="checkbox"/> DELETION OF INVENTOR(S) <ol style="list-style-type: none"> i. Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 7. <input type="checkbox"/> CD ROM or CDR In Duplicate 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence (if applicable, all necessary) <ol style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form b. Specification Sequence Listing On: <ol style="list-style-type: none"> i. <input type="checkbox"/> CD ROM or CD-R (2X); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies 	ACCOMPANYING APPLICATION PARTS <ol style="list-style-type: none"> 9. <input type="checkbox"/> Assignment Papers (Cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Atty 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (PTO-1449) <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Non-publication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation

☒ Divisional

☐ Continuation-in-part (CIP)

Prior application information:

of prior application No.: 09/747,310

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Group Art Unit: 3737

Examiner: Lin, Jeoyuh

19. Correspondence Address:

☒ Customer No. 36,308

Insert Customer No. or Affix
Customer No. Label Here

☐ OR Address Below

Correspondence Address: Sheldon K. Lee
Associate GC
Therus Corporation
2401 4th Ave.; Suite 200
Seattle, CA 98121

20. Respectfully Submitted By:

Name: Sheldon K. Lee

Attorney Registration No.: 53,197

Signature:



Date:

February 17, 2004

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Mail Stop Patent Application, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 17, 2004.

Date: February 17, 2004

Signature



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